IN THE UNITED STATES COURT OF APPEALS FOR THE DISTRICT OF COLUMBIA CIRCUIT

No. 17-7035 (Lead Case), 17-7039

AMERICAN SOCIETY FOR TESTING AND MATERIALS; AND NATIONAL FIRE PROTECTION ASSOCIATION, INC.; AND AMERICAN SOCIETY OF HEATING, REFRIGERATING, AND AIR-CONDITIONING ENGINEERS, INC.,

Plaintiffs-Appellees,

v.

PUBLIC.RESOURCE.ORG, INC.,

Defendant-Appellants.

AMERICAN EDUCATIONAL RESEARCH ASSOCIATION, INC.; AMERICAN PSYCHOLOGICAL ASSOCIATION, INC.; AND NATIONAL COUNCIL OF MEASUREMENT IN EDUCTION, INC.,

Plaintiffs-Appellees,

v.

PUBLIC.RESOURCE.ORG, INC.,

Defendant-Appellants,

AMERICAN SOCIETY FOR TESTING AND MATERIALS; NATIONAL FIRE PROTECTION ASSOCIATION, INC.; AND INC., AMERICAN SOCIETY OF HEATING, REFRIGERATING, AND AIR-CONDITIONING ENGINEERS, INC.,

Intervenors-Appellees,

NOTICE OF INTENT TO PARTICIPATE AS *AMICI CURIAE* AND REPRESENTATION OF CONSENT TO PARTICIPATE

Pursuant to Circuit Rule 29, the following individuals (hereinafter "Intellectual Property Professors") notify this Court that they intend to participate as *amici curiae* on behalf of the Appellants:

Stacey Dogan, Boston University School of Law
Jessica Litman, University of Michigan Law School
Mark P. McKenna, Notre Dame Law School
Betsy Rosenblatt, Whittier Law School
Elizabeth I. Winston, Catholic University, Columbus School of Law
Rebecca Tushnet, Harvard Law School

The Intellectual Property Professors note that all parties have consented to the filing of their *amicus* brief.

Respectfully submitted,

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Counsel for Amici Curiae

CERTIFICATE OF SERVICE

I hereby certify that on September 26, 2017, the foregoing was filed and served upon all counsel of record electronically by filing a copy of the document with the Clerk through the Court's ECF system.

/s/ Samuel R. Bagenstos
Counsel for *Amici Curiae*